

0002



State of Utah

Department of
Environmental Quality

Richard W. Sprott
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

C/015/007 Incoming
cc: Steve C.
Karl

RECEIVED

APR 24 2008

DIV. OF OIL, GAS & MINING

April 23, 2008

CERTIFIED MAIL
(Return Receipt requested)

Jonathan M. Pachter, Vice President
Consolidation Coal Company
P.O. Box 566
Sesser, IL 62884

Subject: UPDES General Permit Coverage No. UTG040026 for the
Consolidation Coal Company – Hidden Valley Mine Site.

Dear Mr. Pachter:

Enclosed is a signed copy of the Utah Pollutant Discharge Elimination System (UPDES) General Permit No. UTG040000 for the above referenced facility. Coverage under this general permit for your facility is referred to as application number UTG040026. The conditions and requirements of the permit are effective as of May 1, 2008.

Copies of EPA form 3320-1, Discharge Monitoring Reports (DMR) forms, for reporting and self-monitoring requirements as specified in the permit, are available upon request. As a reminder, DMR forms are due in our office by the 28th of each month following each monthly monitoring period.

A fee schedule was included in the Utah Department of Environmental Quality Budget appropriation request at the direction of the Legislature and in accordance with *Utah Code annotated 19-1-201*. The fee schedule, as approved by the legislature, includes a prescribed fee for specific Industrial Categories.

The prescribed fee for this general permit, UPDES General Permit for Coal Mines, is \$1,800.00 for a full five-year period from May 1, 2008 to April 30, 2013. Therefore, please remit \$1,800.00 within 30 days from receipt of this letter to:

Department of Environmental Quality
Division of Water Quality
Attn: Nicole Carrell
P.O. Box 144870
Salt Lake City, UT 84114-4870

A separate invoice is included herein. Please be sure to include the invoice

number with you remittance.

Also, as the State agency charged with the administration of issuing UPDES permits, we are continuously looking for ways to improve our quality of service to you. In an effort to improve the State UPDES permitting process, we are asking for your input. Since our customer permittee base is limited, your input is important to us. Please take a few moments to complete the enclosed questionnaire and return it in the postage paid, self-addressed return envelope. The results will be used to improve our quality and responsiveness to our customers and give us feed back on customer satisfaction. We will address any issues you identify on an on going basis.

If you have any questions with regards to this matter, please contact Jeff Studenka of this office at (801) 538-6779 or by e-mail at jstudenka@utah.gov.

Sincerely,



Mike Herkimer, Manager
UPDES IES Section

MH:JS:st

Enclosure

cc: Qian Zhang, P.E., EPA Region VIII
Claron Bjork, SE District Health Department
Dave Ariotti, SE District Engineer
Daron Haddock, Division of Oil Gas & Mines

STATE OF UTAH
DIVISION OF WATER QUALITY
DEPARTMENT OF ENVIRONMENTAL QUALITY
SALT LAKE CITY, UTAH

AUTHORIZATION TO DISCHARGE UNDER THE
UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM
(UPDES)

GENERAL PERMIT FOR COAL MINING

In compliance with provisions of the *Utah Water Quality Act, Title 19, Chapter 5, Utah Code Annotated ("UCA") 1953, as amended (the "Act")*,

Consolidation Coal Company – Hidden Valley Mine Site

as identified in the application **No. UTG040026** is authorized to discharge from all outfalls to receiving waters named:

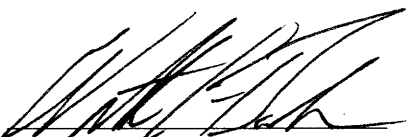
Ivie Creek and unnamed drainages to Ivie Creek (Tributary to The Colorado River)

in accordance with discharge points, effluent limitations, monitoring requirements and other conditions as set forth herein.

This permit shall become effective on May 1, 2008.

This permit and the authorization to discharge shall expire at midnight, April 30, 2013

Signed this 23rd day of April 2008



Walter L. Baker, P.E.
Executive Secretary
Utah Water Quality Board

TABLE OF CONTENTS

	<u>Page No.</u>
<u>Cover Sheet--Issuance and Expiration Dates</u>	
I. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS	3
A. Criteria for Inclusion in the General Permit for Coal Mining	3
B. Notice of Intent for General Permit for Coal Mining	3
C. Description of Discharge Point(s)	4
D. Narrative Standard	4
E. Specific Limitations and Self-monitoring Requirements	5
F. Storm Water Requirements	6
II. MONITORING, RECORDING AND REPORTING REQUIREMENTS	17
A. Representative Sampling	17
B. Monitoring Procedures	17
C. Penalties for Tampering	17
D. Reporting of Monitoring Results	17
E. Compliance Schedules	17
F. Additional Monitoring by the Permittee	17
G. Records Contents	17
H. Retention of Records	18
I. Twenty-four Hour Notice of Noncompliance Reporting	18
J. Other Noncompliance Reporting	19
K. Inspection and Entry	19
III. COMPLIANCE RESPONSIBILITIES	20
A. Duty to Comply	20
B. Penalties for Violations of Permit Conditions	20
C. Need to Halt or Reduce Activity not a Defense	20
D. Duty to Mitigate	20
E. Proper Operation and Maintenance	20
F. Removed Substances	20
G. Bypass of Treatment Facilities	20
H. Upset Conditions	22
I. Toxic Pollutants	22
J. Changes in Discharge of Toxic Substances	22
K. Industrial Pretreatment	23
IV. GENERAL REQUIREMENTS	24
A. Planned Changes	24
B. Anticipated Noncompliance	24
C. Permit Actions	24
D. Duty to Reapply	24
E. Duty to Provide Information	24
F. Other Information	24
G. Signatory Requirements	24
H. Penalties for Falsification of Reports	25
I. Availability of Reports	25
J. Oil and Hazardous Substance Liability	25
K. Property Rights	25
L. Severability	25
M. Transfers	25
N. State Laws	26
O. Water Quality-Reopener Provision	26
P. Toxicity Limitation-Reopener Provision	26
V. GLOSSARY OF TERMS	27
A. Definitions	27